IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ABINGDON DIVISION

)
) Case No. 1:07CR00041
)
)
) FINAL ORDER
)
) By: James P. Jones
) United States District Judge
)

For the reasons set forth in the Opinion accompanying this Final Order, it is **ORDERED** that the government's Motion to Dismiss is GRANTED, and the Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 is hereby DENIED. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is DENIED.

ENTER: November 12, 2010

/s/ JAMES P. JONES
United States District Judge